

INCOMING TELEGRAM

Department of State

ACTION COPY

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39-H

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Action

EUR

Control: 19743

Rec'd: AUGUST 26, 1961

A/CDC/MR 10:38 AM

FROM: BERLIN

DEPARTMENT OF STATE A/CDC/MR

Info

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ARMY

NAVY

AIR

RMR

TO: Secretary of State

NO: 332, AUGUST 26

PRIORITY

REVIEWED BY Houston

DATE 4/1/66

RDS or KDS EXIT DATE

RDS 12:00 NOON REASON(S)

ENDORSE EXISTING MARKINGS

DECLASSIFIED/RELEASABLE

RELEASE DENIED

PA or FOI EXEMPTIONS

ACTION DEPARTMENT 332, BONN PRIORITY 295, INFORMATION
PARIS 227, LONDON 220, MOSCOW 215, POLAD USAREUR 199.

PARIS FOR EMB, USRO, STOESSEL AND MCGUIRE

ON ACCOUNT OF THREE ARMY BUS INCIDENT AUG 24 (BERLIN'S
318 DEPT, 283 BONN) AND DIFFICULTIES ENCOUNTERED BY
OTHER AMERICAN PERSONNEL AS WELL AS FOR OTHER REASONS,
US COMMANDANT IS CALLING ON SOV COMMANDER KARLSHORST
10:00 AM TODAY TO DELIVER OPAL PROTEST TO HIM ALONG
FOLLOWING LINES:

BEGIN TEXT

1. DURING THE NIGHT OF AUG 22-23, THE EAST GERMAN
AUTHORITIES ISSUED FURTHER ILLEGAL REGULATIONS
CONTRAVENING THE FOUR-POWER STATUS OF BERLIN. THUS,
ONLY TEN DAYS AFTER THE INTRODUCTION OF THE
ILLEGAL MEASURES OF AUGUST 13, THE EAST GERMAN REGIME
HAS BEEN PERMITTED TO ADD FURTHER RESTRICTIONS ON THE
FREEDOM OF MOVEMENT IN BERLIN. DESPITE THE ALLEGATIONS
IN YOUR LETTER OF AUGUST 18, UNDER THE VALID AGREEMENT
OF OUR GOVERNMENTS YOU ARE STILL RESPONSIBLE FOR THE
MAINTENANCE OF LAW AND ORDER IN YOUR SECTOR OF
BERLIN AND FOR THE ENFORCEMENT OF 4-POWER AGREEMENTS
JUST AS I AM IN THE AMERICAN SECTOR.

2. THE REGULATIONS ISSUED ON AUGUST 23 SEEK TO RESTRICT

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* This copy must be returned to RM/R central files with notation of action taken.

ACTION ASSIGNED TO <u>ZUK/GER</u>	ACTION TAKEN <u>None</u>
NAME OF OFFICER <u>Ray</u>	DATE OF ACTION <u>6/3/62</u>
OFFICE SYMBOL	DIRECTIONS TO RM/R <u>File</u>

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-2- 332, AUGUST 26, NOON, FROM BERLIN

TO ONE CROSSING POINT THE NUMBER OF PLACES WHERE ALLIED PERSONNEL CAN TRAVERSE THE BOUNDARY OF YOUR SECTOR. THIS IS AN ARBITRARY, ILLEGAL, AND UNACCEPTABLE RESTRICTION.

3. MOREOVER, SINCE AUGUST 23 ALLIED PERSONNEL HAVE EXPERIENCED OTHER DIFFICULTIES IN CROSSING THE SECTOR BOUNDARY. ON AUGUST 24, UNITED STATES ARMY BUSES CARRYING PERSONNEL UNDER MY COMMAND, WHILE ENTERING THE SOVIET SECTOR AT FRFEDRICHSTRASSE, WERE DELAYED BY SOVIET SECTOR GERMAN POLICE, WHO IMPROPERLY DEMANDED IDENTIFICATION OF THE PERSONNEL IN THE BUSES. THE BERLIN COMMAND PROYOST MARSHAL, WHO PROCEEDED TO THE SCENE, WAS HIMSELF LIKEWISE IMPROPERLY PREVENTED FROM ENTERING THE SOVIET SECTOR. IT WAS ONLY AFTER CONSIDERABLE DELAY THAT THESE VEHICLES WERE ABLE TO EXERCISE THEIR RIGHT TO PROCEED.

I CANNOT ACCEPT RESTRICTIONS ON THE RIGHT OF UNITED STATES PERSONNEL TO CROSS INTO AND OUT OF THE SOVIET SECTOR UNIMPEDED, WHEN AND WHERE THEY CHOOSE.

4. I CALL YOUR ATTENTION TO THE EXISTING ARRANGEMENTS BETWEEN YOUR HEADQUARTERS AND MINE TO ENSURE FREE MOVEMENT OF UNITED STATES PERSONNEL WITHIN BERLIN. IN APRIL, 1958 MY HEADQUARTERS PROVIDED THE SOVIET AUTHORITIES WITH PHOTOGRAPHS AND DRAWINGS OF THE VARIOUS TYPES OF VEHICULAR REGISTRATION PLATES USED BY VEHICLES OF THE UNITED STATES IN BERLIN. THE INFORMATION WAS PROVIDED AT SOVIET REQUEST IN ORDER THAT THE SOVIET AUTHORITIES MIGHT TAKE STEPS TO ASSURE THE UNIMPEDED CIRCULATION WITHIN BERLIN TO WHICH THESE VEHICLES AND THEIR OCCUPANTS ARE ENTITLED. SUBSEQUENT LETTERS FROM THIS HEADQUARTERS TO YOUR HEADQUARTERS HAVE KEPT YOU INFORMED OF CHANGES IN THE LICENSE PLATES IN USE.

5. I REMIND YOU THAT THE WESTERN COMMANDANTS ENSURE TO SOVIET PERSONNEL AND VEHICLES THE RIGHT OF FREE MOVEMENT INTO AND WITHIN WEST BERLIN. WE CAN EXPECT NO LESS THAN RECIPROCITY.

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-3- 332, AUGUST 26, NOON, FROM BERLIN

6. I DEMAND THAT YOU ELIMINATE IMMEDIATELY THE DIFFICULTIES TO WHICH I HAVE REFERRED AND ENSURE FREE AND UNIMPEDED PASSAGE FROM THE WESTERN SECTORS INTO, WITHIN AND OUT OF THE SOVIET SECTOR FOR ALL UNITED STATES FORCES PERSONNEL AND PROPERLY MARKED VEHICLES.

END TEXT

WE DO NOT PLAN RELEASE TEXT OF ABOVE TALKING PAPER, BUTP MERELY TO INFORM PRESS THAT US COMMANDANT CALLED ON SOV COMMANDANT TO MAKE ORAL PROTEST RE ILLEGAL REGULATIONS ISSUED BY THE EAST GERMAN AUTHORITIES IN RECENT DAYS AND INCIDENTS ARISING THEREFROM, IN PARTICULAR INCIDENTS AFFECTING US FORCES.

LIGHTNER

RJT

Note: Advance copy to (SO) 2:45pm 8/26/FMH

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